

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MICHAEL GONZALES,

Plaintiff,

v.

B. NEGRETE, et al.,

Defendants.

No. 1:20-cv-01493-DAD-EPG (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
COMPLAINT

(Doc. No. 5)

Plaintiff Michael Gonzales is a prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 9, 2020, the assigned magistrate judge issued findings and recommendations recommending that plaintiff's complaint be dismissed, with prejudice, as frivolous. (Doc. No. 5.) Those findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within twenty-one (21) days from the date of service. (*Id.* at 10.) To date, no objections to the findings and recommendations have been filed with the court, and the time in which to do so has now passed. On December 21, 2020, plaintiff filed a motion for a preliminary injunction and a request for a temporary restraining order. (Doc. No. 6.)

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1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C) and Local Rule 304, this  
2 court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the  
3 court finds the findings and recommendations to be supported by the record and by proper  
4 analysis. In light of the foregoing, the court will also deny plaintiff's remaining motion for  
5 injunctive relief.

6 Accordingly,

- 7 1. The findings and recommendations issued on November 9, 2020 (Doc. No. 5) are adopted  
8 in full;
- 9 2. Plaintiff's complaint is dismissed with prejudice;
- 10 3. Plaintiff's motion for injunctive relief (Doc. No. 6) is also denied; and
- 11 4. The Clerk of the Court is directed to close this case.

12 IT IS SO ORDERED.

13 Dated: **January 11, 2021**

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UNITED STATES DISTRICT JUDGE